

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JOSEPH EDWARD SLOAN, BRYON Z. MOLDO,
Chapter 7 Trustee - In Re JOSEPH EDWARD SLOAN,
Debtor,

Plaintiffs,

vs.

Civ. No. 00-702 BB/WWD ACE

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, a foreign corporation,
and RANDAL W. ROBERTS, ESQ.,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon Defendant Randal W. Roberts' Motion to Compel as to Deposition of Jacob Vigil [docket no. 164]. In Exhibit A to the motion, Defendant Roberts highlights certain questions which were asked to Jacob Vigil which Vigil, upon instruction of counsel, refused to answer. These are set out at lines 5 through 25 on page 31, lines 5 through 19 on page 118, lines 4 through 8 on page 121, lines 20 through 25 on page 125, and lines 7 through 24 on page 126 of the video deposition of Jacob Vigil taken on March 13, 2001. In the circumstances of this case, the information sought by the questions at the deposition was not privileged, and it should be disclosed.

WHEREFORE,

IT IS ORDERED that the deposition of Jacob Vigil may be recommenced upon reasonable notice for the purpose of answering the questions previously refused to be answered as detailed above as well as such follow up questions as may be necessary and reasonable.


UNITED STATES MAGISTRATE JUDGE